IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 684 (SS) of 2007

Naveen Chandra Joshi,
S/o Sri Narottm Joshi,
Serving as Assistant Teacher in Primary School,
Ulseti, Block- Lamgara,
District - Almora **…… Petitioner.**

Versus

1. District Education Officer, Almora.
2. Additional District Education Officer (Basic), Almora.
3. Basic Education Officer, Lamgara Block, District - Almora.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri Manoj Tiwari, learned counsel for the petitioner and learned Brief Holder for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

i. issue a writ, order or direction, in the nature of Certiorari quashing the impugned transfer order dated 11.06.2007 passed by respondent no. 2 (contained in as Annexure no. 3 to this writ petition)

ii. Issue a writ, order or direction, in the nature of Mandamus commanding the respondents to make transfers on the basis of starting with Assistant Teacher with the longest duration at one place.

iii. Issue any other writ, order or direction, which the Hon'ble Court may deem fit and proper in the circumstances of the case.

iv. Award costs of the writ petition in favour of the petitioner.

By the impugned order dated 11.06.2007, petitioner has been transferred from Primary School, Ulseti to Primary School, Tikarkholi.

During the course of argument, learned counsel for the petitioner was confined his prayer that petitioner may be permitted to make representation before respondent no. 2, raising all the grounds on which petitioner wants to attack the impugned order, and the respondent no. 2 may be directed to decide the same within a period prescribed by this court.

The prayer is innocuous. Accordingly, I direct the petitioner to make representation before respondent no. 2 i.e. Additional District Education Officer (Basic), Almora within a period of ten days and respondent no. 2 i.e. Additional District Education Officer (Basic), Almora shall take decision on the representation of the petitioner within a period of ten days from the date of production certified copy of this order along with representation.

With this direction, the writ petition as well as all the pending applications are disposed of. No order as to costs.

Copy of the order shall be given to the learned counsel for the petitioner by tomorrow on payment of usual charges.

(M.M. Ghildiyal, J)

July 27, 2007
SKSharma